App F IX 4

Previous References
Ml 16-44 (18, 19, 20)

1948
(Ml)

File No 110-48
Serial Nos 23,24

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

F-11-E

Part B for Nov 48

SUBJECT

Grant of a Site out of S Nos 116 and 117 of Tumkur ~~Kasaba~~ Kasaba for the Benefit of the Dist Congress Committee at Tumkur

G O No L 4726-9/D 4-11-48

To The Revenue Commissioner Mysore

" D C Tumkur Dt
" Comptroller to Govt
" Prsdt T M L Cl, Tumkur

KSLe Sanctions the proposal

the

130/md

Subi Grant of site out of S Nos
116 and 117 of Tumkur Kasaba for
the benefit of the Dist Congress Committee
at Tumkur

From
The Revenue Commissioner
in Mysore - Bangalore. No C 3 2385/42-43 dated 29-6
forwards the records with his report
on the above subject

1) The Govt in their order No L
5773-5/md 16-44-19 dated 19-12-1944
sanctioned the acquisition of S Nos 116 & 117
of Tumkur Kasaba for the formation of a
new Bus-stand (The collection is put up)
The extent of the land granted is
5 acres and 8 guntas The lands
occupy a prominent place in the
Town, and are valuable

2) The Tumkur Town Md Cl
have utilised some portion of the
lands for the bus stand, and
out of the remaining, an extent
of 2460' x 390' has been laid out into
4 sites, of which one site measuring
80' x 240' was granted to the Dist
Congress Committee at an upset price

Grant of site ~~of~~ SNos 116 & 117 of
130/21 Tumkur Kasaba for ~~the~~ Congress
Committee at Tumkur

—

~~of~~ Rs 1000/- for the construction of their
~~the~~ office building. The possession was
also given to the grantees

3) ~~There was a~~ ~~It~~ the action is ultra vires
~~of~~ the powers vested in the ML ~~of~~
by the T-M Act as the value of the
site in question exceeds Rs 1000/- The
~~D~~ C Tumkur directed the ML ~~of~~
to withdraw the grant and prohibit
the grantees from entering upon the land.

4) Thereupon the Tumkur ML ~~of~~ ~~D~~ above resolved
on 8-12-67 ~~to~~ rescinding the grant and requesting the Govt to move,
both the conversion ~~to~~ fine and the
up-set price, ~~because~~ for the reason
it is required for the ~~the~~ Congress
committee, to implement their Constructive
programme

5) The ~~D~~ C in his report,
states that the site is much more
than Rs 1000/- the upset price fixed
valuable land ~~if~~ if auctioned publicly
it will fetch a high price, ~~and~~
about a couple of thousand rupees
as ~~the~~ conversion fine & the

for site cost of the SOWs 116 & 117
130/mil of Tamilnadu Location for the benefit of the
West Congress committee at Tamilnadu

—

b) The purpose for which the lands is proposed to be put differs from that for which the lands were acquired originally ~~differ~~ ~~found~~ to= ~~waive~~ the conversion fee would have to be recovered in respect of the land as per rules ~~of~~ Govt has not been obtained

7) For the circumstances of the Revenue Commissioner states of the conversion fee will have to be recovered ~~as per~~ as per rules However policy orders of Govt, whether in view of the fact that the site is said to be required by the congress committee to locate their Mess and for implementing their constructive activities, the site in question may not be granted to them free of upset price and conversion fee as resolved by the Govt as a special case, subject to the condition of its resumption to Govt if and when the object of the grant fails

Submitted for orders

Appl 1417 8) There are two points for orders (1) Grant of the site in question to the Desha

4

130 Rel

9141
R II/8

Congress Committee free of upset price, and
(c) waiving of Conversion fine payable on
the land The second question relates
to the Revenue Branch

Pr 15 7 4t
9) The recommendation of the
Revenue Commissioner as at Annexure
may be approved
Revenue
18/2 Ist

10) Is it not necessary to consult
the Rev Br re the question
of Conversion fine ?

8
11) Kind reference is invited to para 28/7
8 (2) supra If approved the
Rev Branch will be consulted in the
matter

Asst Br
2/8 Rev Br

Rev Sec 8/8/68

1223
3/8

Rev: Br)

12) 8
6/8/68

Asst Sec
10/8
13) Submitted,
The facts of the case are explained in paras
1 to 7 of the Note supra
14) It is for orders as to whether the conversion

Grant of a site out of S Nos 116 and 117 of Tuticorin Mandal for the benefit of the District Congress Committee at Tuticorin (5)

911/R

free payable on the same may be waived, subject to the conditions specified by the Revenue Comm[r] in P.W.D

B 12/8 BDS 12/8

15) The levy of conversion fine on the site granted to the Dt Congress Committee may be waived & the Hd cancel informed as suggested by the Rs

16) It is presumed conversion fine will be recovered in respect of the other sites proposed to be sold in auction

JCh 13/8

Revisers

17) Conversion fine may be waived as proposed.

for orders whether

B 16/8

Rev + PW

26 8 48 1426

18) In a special case conversion fine may be waived as suggested by the Revenue Commissioner

H.K.Narayan 27/8/48

B 28/8

19) The file may be referred to the Municipal Branch for taking necessary action in the matter w r t para 2(i)

B 30/8 BDS 30/8 20) Rev Cogn) 1st Dec Mun (Br) B 8/9

20) Grant of site gift of S Nos 116 and 117 of Tumkur reserved for the benefit of the D C at Tumkur

20) D/f for pl

130/mn

11/9/48

130/mn

21) The file perhaps to be submitted to the Minister for L S & for orders &c, the question of sanctioning the site to the Dist Congress committee Tumkur Reference to para 9 supra } yes for

Any 16/9 Por 16-9-48 22) D/f for orders perhaps for 23/9 Mr

23) Draft by us put up for approval

Any 24/9 Por 25-9-48

Rec'd 27/9/48

3716 27/9

Magee app'd

27/9/48

L. S. 8

24) The draft does not contain all the conditions etc mentioned at the end of Mr. R's letter

27/9

3632 1/10

25) Draft so revised accordingly is put up for approval

Any Por 29-9-48

Rec'd 1/10/48

grant of a site out of S Nos 116-117 of Tumkur Kasaba for the benefit of the O-C-C Tumkur

130/ml

Approved. Let this order be issued from the Revenue Branch

8
5/10/48

Issued
5/10/48

G.O. No. L(4)26-9/ml 116-4824 dated 4-11-48 To

The Rev. in Mysore (with copy)
The Dy. Commissioner
The Comptroller to Govt.
The Addl. Tumkur Town Mun.

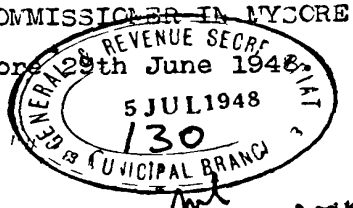
Sanctions the proposal of the Addl. Cl

B
10/11

Mc 130

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE

Dated, Bangalore 29th June 1948.



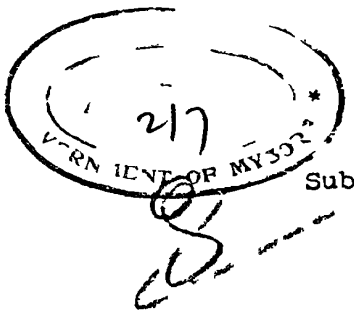
No C3 2385/47-48

Encl Records

To

JANAB SYED ABDUL ALEEM B A ,

Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department, Bangalore



Subject - Grant of a site out of S Nos 116 and 117 of Tumkur Kasaba for the benefit of the District Congress Committee at Tumkur

MR 110-48-23

Sir,

I have the honour to forward herewith copies of letters No 46 C 1090/46-47 dated 3rd January 1948 and 10th May 1948 together with the connected records received from the Deputy Commissioner, Tumkur District on the above subject and to state that Government in their order No L 5773-5 M L 16-44-19 dated 12th December 1944 sanctioned the acquisition of S Nos 116 and 117 of Tumkur Kasaba for the formation of a new Bus Stand at the instance of the Town Municipal Council and these lands were handed over to the Municipality by the Amildar, Tumkur Taluk The extent comprised in the above S Nos is 5 acres 8 guntas These lands are situated in the heart of the town and the market value of the same is estimated at Rs 2/-per square yard It is reported that some portion of the land has been utilised for the Bus stand and out of the remaining area, an extent of 240' x 390' has been laid out into four sites One of these sites measuring 80' x 240' as shown in the enclosed sketch was granted to the District congress Committee at a nominal upset price of Rs 100/- by the Municipality as per their resolution dated 30th November 1946 for the construction of a Building to locate their Offices The possession of the site is also reported to have been handed over to the District Congress Committee

Since the Municipal Council was not competent to grant a site, the value of which exceeds Rs 1000/- the Deputy Commissioner is reported to have taken action as per section 38(2) of the Town Municipalities Act and directed the Municipal Council to withdraw the grant and prohibit the grantees from entering upon the land in question Thereupon the Municipal Council again resolved on 8th December 1947 reiterating the grant and requesting that the levy of both the upset price and conversion fine be waived as the site is required for the location of the Office Buildings of the District Congress Committee to implement their constructive activities The Deputy Commissioner states that the site is situated on the side of the Town Hall Road which is an important and busy road in Tumkur Town, that he has seen the spot, that in his opinion the site is far more valuable than Rs 100/-fixed by the Municipality and that it will fetch a high price if sold in public auction He further states that the Municipality have knowingly given this valuable site for a nominal price solely on the ground that the Congress Committee is an influential body doing constructive work for the public The Deputy Commissioner therefore solicits orders in the matter of the grant of the site in question to the District Congress Committee and waiving of the conversion fine

The two s Nos in questior were acquired at the instance of the Municipality for a public purpose and consequently the levy of conversion fine was waived as per Rule 60(A) of Land Revenue Rules As the purpose for which the site granted by the Municipality differs convers on fine will have to be recovered as per rules It is however for consideration

whether in view of the fact that the site is said to be required by the Congress Committee to locate their offices for implementing their constructive activities, the site in question may not be granted to them free of upset price and conversion fine as resolved by the Municipality as a special case subject to the condition of its resumption to Government if and when the object of the grant fails, the Municipality being told at the same time, that their action was not in order A

The connected records accompany for favour of reference and return when done with

I have the honour to be,

Sir,

Your most obedient servant,

S Varadarajan

Revenue Commissioner

1090

Letter No A6 C 109/46-47 dated 10th May 1948, from the Deputy Commissioner, Tumkur District, to the Revenue Commissioner in Mysore

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Grant of site out of S Nos 116 and 117 of Tumkur Kasaba for the benefit of the District Congress Committee, Tumkur

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With reference to your letter No C3 2385/47-48 dated 15/20-1-1948, on the above subject, I have the honour to forward herewith, the sketch of the land proposed to be granted The President, Town Municipal Counci, Tumkur, states that S No 117 has been exclusively left over for the Bus stand, A copy of letter No C 221/47-48 dated 17-2-1948 from the President, Town Municipal Council Tumkur is herein enclosed

The site is situated by the side of the town Hall road which is an important and abusy raod in Tumkur town and that the mahazar value of the land is Rs 2/- per sq-yard The mahazar drawn by the Revenue Inspector on 20-1-47 is enclosed to the records The purpose for which the land is required by the District Congress Committee is to construct building for the location of the office to implement constructive activities

The acquisition records of S No 116 and 117 of Tumkur Kasaba received from the Sub Division Officer, Tumkur Sub Division in his No LAC2 3/45-46 dated 22-3-1948 is herein enclosed The Sub Division Officer reports that no award has been passed in this case as certain particulars called for from the Executive Engineer, Tumkur Division and the President, Town Municipal Council Tumkur have not been received

As regards the value of the site, I am of opinion that it is far more valuable than Rs 100/- for which the Municipalit have now parted with it to the District Congress Committee I have seen the site and I am quite sure that it will fetch a couple of thousands of rupees if sold in Public

auction I believe the municipality have knowlingly given this valuable site for a nominal sum of Rs 100/-solely on the ground that the District Congress Committee is an infl ertial body with political and constructive activities for the good of the public For this implied reason and more especially for the reason that the transaction has already been completed and the possession of the site made over to the District Congress C mmittee, I request you kindly to obtain orders of Government in the matter as previously recommended by my predecessor

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Letter No. A6 C 1095/46-47 dated 3rd January 1948, from the Deputy Commissioner, Tumkur

Grant of site situated behind the Church in the Town Hall Road, Tumkur to the District Congress Committee-Tumkur

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In forwarding herewith the correspondence ending with letter No HC 67/46 dated 11-12-1947 from the President, Tumkur Town Municipal Council, on the above subject, I have the honour to state as follows -

The Town Municipal Council, Tumkur resolved among other thing on 30-11-46 that a site measuring 80 ft from North to South and 240 ft from East to West may be granted out of the Municipal vacant land lying behind the church in the Town Hall Road at an upset price of Rs 100/- But as I found that the upset price fixed for the site was far below the market value and as the council was not competent to dispose of the site under Sec 38(2) of the Town Municipalities Act, I suspended the resolution referred above granting the site to the District Congress Committee and also to some other persons and directed the President, Town Municipal Council, to withdraw the grant and also not to allow the grantee from entering upon the site This has already been communicated to the Government with this office letter No A6 C 1095-46 dated 18-12-1946 The Town Municipal Council have again resolved on 30-4-1947, that the site in qustio may be granted

to the District Cong ess Co-mittee at an upset price of Rs 100/-as already resolved They have again resolved on 8 12-1947 that the site may be granted free of cost instead of at an upset price of Rs 100/-and the conversion fine in respect of it may also be waived Copies of resolutions referred to above to ether with the letters of the President in the matter are enclosed

The Municipal Lnad out of which the site in questio is porposed to be granted forms part of the land comprised in S Nos 116 and 117 of Tumkur Kasaba village These two S measuring 5 cres and 8 guntas in all were acquired by the unicipality for the formation of a new bus stand and this was sanctioned by Government in their order o L 5773-5 M1 16-44-19 dated 12-12-44 Some portion of the land-acquired has been utilised for the purpose for which it was acquired and an extent measuring 240 ft x 390 ft out of the remainin- area has been laid out into four sites,of which the site in questio is one The disposal of other sites has been taken upon separately These sites are situated by the side of the Town Hall road which is an important and a busy road in Tumkur Town and therefore they are very valuable and the ~~xxxxx~~ mahazar value of these sites is Rs 2/-per sq yard The mahazar drawn up by the Revenue Inspector on 20-1-47 is also herein enclosed

As regards the payment of conversion fine,it may be stated that the S Nos 116 and 117 were acquired for a public purpose for the formation of a new Bus Stand and as such the payment of conversion fine was exempted according to rule 60(A) of the Land Revenue Rules

Now a certain portion of the acquired land is of course utilised for the purpose to be granted to the District Congres Committee

They have again resolved on8-12-47,particularly with referece to the site inquestion that the levy of conversion fine may be waived

In these circum tances I request that orders of Government may kirdly be obtained in the matter of the grant of site in question to the District Congress committee and waiving the recovery of conversion fine thereon The sketch showing the situation of the site in uestior has been called for from the President and the same will be sent after it is received

Copies

For Revenue Commissicner

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to

Free copies

File No

Serial No

General and Revenue Secretariat

( )

the *19*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 19

Read— Letter from No C-3 2385 67-68 dated 29-6-68 from the Revenue Commissioner in Mysore Bangalore, Soliciting Sanction to the grant of ~~order for granting~~ a site measuring 80' x 240' out of Sy Nos 116 and 117 of Tumkur Kasaba which have acquired for the formation of a bus Stand at Tumkur ~~Order thereon etc~~, for the benefit of the Dist Tumkur Dist Congress committee, free of upset price and waiving the payment of Conversion fine payable on the said land as per resolution of the Mysore dated 8-12-67

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

8 12-(6)

Order No 2

Sanctioned

From Secy to Govt
Rev Deptt
Bng
24/9

List of Enclosures

To
The D C Tumkur
The R C in Mysore Bangalore
The Comptroller to Govt

Copied by The pdt Tumkur
Examined by Tumkur

WD 03696—GPB—30 000—2 2 40

G R S App I' VI—G 2]

SUBJECT

6

Diary No of letter replied to ... 130

Section Rl -
File No 110-48
Serial No 2 1 1

General and Revenue Secretariat

( )
the 19

} Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue... 4-11-... 1948

Head— Letter No C 3 2385/47-48 dated 29-6 48 from the Revenue Commissioner Mysore Bangalore, Soliciting Sanction to the grant of a site measuring 80'x240' out of S nos 116 and 117 of Tumkur ~~Order thereon~~ Taluk, which were acquired for the formation of a bus-stand at Tumkur, for the benefit of the Tumkur Dist Congress committee, free of upset price, as per resolution of the Rl Cl dated 8-12-47,

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette, Kannada Part?

and waiving the payment of
Conversion fine payable on
the said land

Order No 4726-9 / 27-11-48

The grant of the site (measuring 80' x 240')
of S Nos 116 and 117 of Tumkur
Cantonment for the benefit of the
Tumkur West Congress
Committee, free of upset price,
as a special case
is sanctioned subject to
the condition of its resumption
to Govt if and when the object
of the grant fails The Conversion
on the said land
fine is also waived

W-R

To

List of Enclosures

The R C in Mysore Bangalore
The D C Tumkur with
The complaint to Govt
The Pdt Tumkur Town Hall

Copied by
Examined by Copy to the Revenue Secy

5110/48
for Revenue Secy to Govt
Any
29/6 Pr
20-9-48

WD 03696—GPB—30 000—2 2 40

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

READ -

Letter No C 3-2385/47-48 dated 29th June 1948 from the Revenue Commissioner in Mysore, Bangalore, soliciting sanction to the grant of a site measuring 80' x 240' out of S Nos 116 and 117 of Tumkur Kasaba, which were required for the formation of a bus stand at Tumkur for the benefit of the Tumkur District Congress Committee, free of upset price, as per resolution of the Municipal Council dated 8th December 1947 and waiving the payment of conversion fine payable to on the said land

---

ORDER NO L 4726-9/ml 110-48-24

Dated, Bangalore, the 4-11-48

The grant of the site measuring 80' x 240' out of S Nos 116 and 117 of Tumkur Kasaba for the benefit of the Tumkur District Congress Committee, free of upset price, is sanctioned as a special case, subject to the condition of its resumption to Government if and when the object of the grant fails The conversion fine on the said land is also waived

For Secretary to Government,
Revenue Department

To

The Revenue Commissioner in Mysore, with records
" Deputy Commissioner, Tumkur District
" Comptroller to Government
" President, Tumkur Town Municipal Council
Copy to the Rev Br

Notes ——— 1 Pages

Correspondence —— 12 Pages